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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

LAN LEE,  
a/k/a Lan Li, and  
YUEFEI GE,  
Defendants.

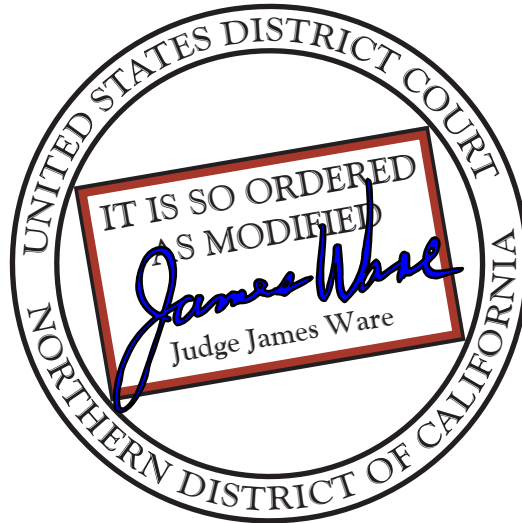
No. CR-06-00424 JW

**STIPULATION TO SET MOTIONS  
HEARING DATE AND  
[PROPOSED] ORDER**

**IT IS HEREBY STIPULATED AND AGREED**, by and between Joseph P. Russoniello, United States Attorney, and Matthew A. Parrella and Joseph A Fazioli, Assistant United States Attorneys, counsel for the United States of America, and Thomas J. Nolan, Esq., and Edward W. Swanson, Esq., counsel for defendants, that a motions hearing date be scheduled for August 17, 2009, or to a date thereafter at the convenience of the Court.

This Stipulation is entered into for the following reasons:

- On June 2, 2009, a proceeding was held before the Court on this matter. At that time, the defendants requested a continuance of the trial date for reasons placed



1 upon the record. The government did not oppose that motion and the Court  
2 granted same, continuing the trial date until October 20, 2009.

3 2. During that proceeding, the Court advised counsel that it wished that all pretrial  
4 motions be filed with the court by July 6, 2009.

5 3. Cognizant of that order, the sides filed the following items, among others:

- 6 a. Motions *in limine* - filed by the government (Docket 196).
- 7 b. Proposed jury instructions - filed by the government (Docket 193).
- 8 c. Witness List - filed by the defendants (Docket 208).
- 9 d. Proposed voir dire - filed by the defendants (Docket 209).
- 10 e. Motions *in limine* - filed by the defendants (Docket 210).
- 11 f. Proposed jury instructions - filed by the defendants (Docket 211).
- 12 g. Motion for discovery - filed by the defendants (Docket 212) - later  
13 withdrawn.
- 14 h. Opposition to Motion for discovery - filed by the government  
15 (Docket 214).
- 16 i. Opposition to proposed jury instructions - filed by the government (Docket  
17 215).
- 18 j. Opposition to Motions *in limine* - filed by the government (Docket 216).
- 19 k. Opposition to witness list - filed by the government (Docket 217).
- 20 l. Opposition to Motions *in limine* - filed by the defendants (Docket 218).
- 21 m. Reply to Opposition to proposed jury instructions - filed by the defendants  
22 (Docket 219).
- 23 n. Reply to Opposition to witness list- filed by the defendants (Docket 220).

24 4. The parties now jointly request a hearing date for the previously-filed motions.  
25 Counsels for both sides are available August 17, 2009 at 1:30 p.m., which is the  
26 Court's regularly scheduled criminal calendar. For the Court's information, the  
27 parties are also available on Wednesday, August 19, 2009, and Friday, August 21,  
28 2009. Counsel for the government will be out of the district August 24-28, 2009.

5. This hearing date will not impact the trial date, which will remain on October 20, 2009. The Court has excluded time from June 2, 2009 through October 20, 2009 for case complexity.

DATED this \_\_15<sup>th</sup>\_\_ day of July, 2009.

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/  
\_\_\_\_\_  
MATTHEW A. PARRELLA  
Assistant United States Attorney

July 15, 2009 \_\_\_\_\_  
DATE

/s/  
\_\_\_\_\_  
THOMAS J. NOLAN  
Attorney for Defendant LEE

July 15, 2009 \_\_\_\_\_  
DATE

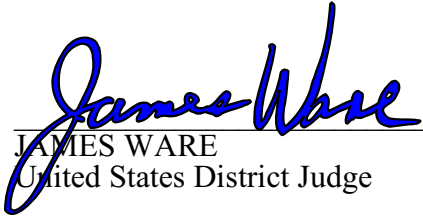
/s/  
\_\_\_\_\_  
EDWARD W. SWANSON  
Attorney for Defendant GE

July 15, 2009 \_\_\_\_\_  
DATE

1 Based upon the foregoing representations made by the parties by stipulated motion, and  
2 good cause appearing therefor,

3 **IT IS HEREBY ORDERED** that the matter shall be placed on the Court's calendar on  
4 **August 31, 2009 at 3 p.m.**

5  
6 DATED: July 29, 2009

7  
8   
9 JAMES WARE  
United States District Judge